

COMBINED DECLARATION AND POWER OF ATTORNEY

(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,  
CONTINUATION OR CIP)

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is of the following type: (check one)

- ☒ original  
☐ design

(check one, if applicable)

- ☐ national stage of PCT  
☐ supplemental  
  
☐ divisional  
☐ continuation  
☐ continuation-in-part (CIP)

INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

ARTERIAL HOLE CLOSURE APPARATUS

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SPECIFICATION IDENTIFICATION

the specification of which: (complete (a), (b) or (c))

- (a) ☐ is attached hereto.  
(b) ☒ was filed on February 14, 2000 as ☒ Serial No. 09/503,510  
or ☐ Express Mail No., as Serial No. not yet known,  
and was amended \_\_\_\_\_ (if applicable).  
(c) ☐ was described and claimed in PCT International Application No. \_\_\_\_\_ filed  
on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_ (if any).

## ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations §1.56(a).

## FOREIGN PRIORITY CLAIM

☐ I hereby claim foreign priority benefits under Title 35, U.S.C. §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(complete (d) or (e))

(d) ☒ no such applications have been filed.

(e) ☐ such applications have been filed as follows

EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

COUNTRY	APPLICATION NO.	DATE OF FILING (month, day, year)	PRIORITY CLAIMED UNDER 35 USC 119
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S) UNDER 35 U.S.C. §120

☐ I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s) or PCT international application(s) designating the United States of America that are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in those prior application(s) in the manner provided by the first paragraph of 35 U.S.C. §120, I acknowledge the duty to disclose material information as defined in 37 C.F.R. §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

Prior U.S. Application(s) or PCT International Application(s) Designating the U.S. For Benefit Under 35 U.S.C. §120.

U.S. APPLICATIONS

Serial No.	Filing Date	Status (issued, pending or abandoned)
60/121,114	February 22, 1999	abandoned

PCT APPLICATIONS DESIGNATING THE U.S.

PCT Application No.	PCT filing date	U.S. Serial Nos. assigned (if any)	Status (patented, pending, abandoned)

## POWER OF ATTORNEY

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration number)

DAVID KORIS, Reg. No. 30,908; DOUGLAS E. DENNINGER, Reg. No. 31,752; MARK FARBER, Reg. No. 34,159; and LAWRENCE CRUZ, Reg. No. 36,385; each of them of United States Surgical, a division of TYCO HEALTHCARE GROUP LP, 150 Glover Avenue, Norwalk, Connecticut 06856.

PETER G. DILWORTH, Reg. No. 26,450; ROCCO S. BARRESE, Reg. No. 25,253; DAVID M. CARTER, Reg. No. 30,949; PAUL J. FARRELL, Reg. No. 33,494; PETER DELUCA, Reg. 32,978; ADRIAN T. CALDERONE, Reg. No. 31,746; GEORGE M. KAPLAN, Reg. No. 28,375; JEFFREY S. STEEN, Reg. No. 32,063; JOSEPH W. SCHMIDT, Reg. No. 36,920; RAYMOND E. FARRELL, Reg. No. 34,816; RUSSELL R. KASSNER, Reg. No. 36,183; FRANK CHAU, Reg. No. 34,136; CHRISTOPHER G. TRAINOR, Reg. No. 39,517; GEORGE LIKOUREZOS, Reg. No. 40,067; JAMES M. LOEFFLER, Reg. No. 37,873; WILLIAM E. LEWIS, Reg. No. 39,274; JOHN G. TUTUNJIAN, Reg. No. 39,405; JAMES J. BITETTO, Reg. No. 40,513; and MARK S. LEONARDO, Reg. No. 41,433, each of them of DILWORTH & BARRESE, 333 Earle Ovington Boulevard, Uniondale, New York 11553.

Send Correspondence to

Direct Telephone Calls To:  
(Name and telephone number)

Neil D. Gershon, Esq.  
United States Surgical Corporation  
150 Glover Avenue  
Norwalk, Connecticut 06856

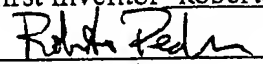
Neil D. Gershon, Esq.  
(203) 845-1480

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

## SIGNATURE(S)

Full name of sole or first inventor Roberto Pedros

Inventor's signature 

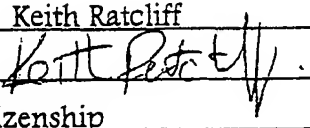
Date 9/14/00 Country of Citizenship

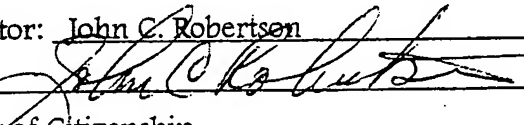
US

Residence: 114 New Street

Post Office Address Seymour, Connecticut 06483

[ ] Check here for added signature pages for third and subsequent inventors. Number of added pages is \_\_\_\_\_

Full name of second inventor: Keith Ratcliff  
Inventor's signature   
Date 9.7.00 Country of Citizenship UK  
Residence: 14 Concorde Ridge,  
Post Office Address Newtown, Connecticut 06470

Full name of third inventor: John C. Robertson  
Inventor's signature   
Date 9/10/00 Country of Citizenship US  
Residence: 880 South Meriden Road,  
Post Office Address Cheshire, Connecticut 06410

-2539 CON

**REVOCATION OF POWER OF  
ATTORNEY OR AUTHORIZATION OF  
AGENT; AND APPOINTMENT OF NEW  
POWER AND CHANGE OF  
CORRESPONDENCE ADDRESS**

Application Number	09/883,427
Filing Date	June 18, 2001
First Named Inventor	Ratcliff et al.
Group Art Unit	
Examiner Name	
Attorney Docket Number	2331 CON

I hereby revoke all previous powers of attorney or authorizations of agent given in the above-identified application and appoint the following attorney(s) to prosecute and transact all business in the U.S. Patent and Trademark Office connected therewith.

DAVID M. CARTER, Reg. No. 30,949; PETER DELUCA, Reg. No. 32,978; RAYMOND E. FARRELL, Reg. No. 34,816; JOSEPH W. SCHMIDT, Reg. No. 36,920; JEFFREY S. STEEN, Reg. No. 32,063; RUSSELL R. KASSNER, Reg. No. 36,183; CHRISTOPHER G. TRAINOR, Reg. No. 39,517; GEORGE LIKOUREZOS, Reg. No. 40,067; EDWARD C. MEAGHER, Reg. No. 41,189; FRANCESCO SARDONE, Reg. No. 47,918; each of them of CARTER, DELUCA, FARRELL and SCHMIDT, LLP, 445 Broad Hollow Road, Suite 225, Melville, New York 11747; and DAVID KORIS, Reg. No. 30,908; DOUGLAS E. DENNINGER, Reg. No. 31,752; PAUL AUDET, Reg. No. 26,439; MARK FARBER, Reg. No. 34,159; LAWRENCE CRUZ, Reg. No. 36,385; each of them of UNITED STATES SURGICAL, A DIVISION OF TYCO HEALTHCARE GROUP LP, 150 Glover Avenue, Norwalk, Connecticut 06856.

AND Please change the correspondence address for the above-identified application to:

Firm Name:	United States Surgical, a Division of Tyco Healthcare Group, LP				
Address	150 Glover Avenue				
Address					
City	Norwalk				
Country	US	State	Connecticut	ZIP	06856
Telephone	(203) 845-1000	Fax	(203) 845-4356		

I am the:

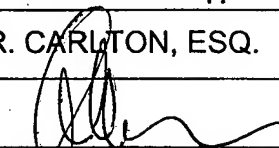
☐

Applicant/Inventor.

☒

Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

**SIGNATURE of Applicant or Assignee of Record**

Name	ALAN R. CARLTON, ESQ.
Signature	
Date	FEB 13 2002



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

JANUARY 16, 2001

U.S. SURGICAL, A DIVISION OF  
TYCO HEALTHCARE GROUP LP  
NEIL D. GERSHON  
150 GLOVER AVENUE  
NORWALK, CT 06856

PTAS



\*101515824A\*

JAN 25 2001

LEGAL DEPARTMENT

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

2331  
PA

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 10/02/2000

REEL/FRAME: 011232/0509  
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

PEDROS, ROBERTO

DOC DATE: 09/09/2000

ASSIGNOR:

RATCLIFF, KEITH

DOC DATE: 09/14/2000

ASSIGNOR:

ROBERTSON, JOHN

DOC DATE: 09/20/2000

ASSIGNEE:

TYCO HEALTHCARE GROUP LP  
150 GLOVER AVENUE  
NORWALK, CONNECTICUT 06856

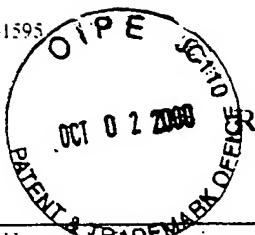
SERIAL NUMBER: 09503510  
PATENT NUMBER:

FILING DATE: 02/14/2000  
ISSUE DATE:

011232/0509 PAGE 2

TARA WASHINGTON, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS





11-15-2000



HEET

101515824

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

<p>1. Name of conveying party(ies): <b>10-2-00</b></p> <p>(1) Roberto Pedros (2) Keith Ratcliff (3) John Robertson</p> <p>Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>2. Name and address of receiving party(ies):</p> <p>Name: Tyco Healthcare Group LP 150 Glover Avenue Norwalk, CT 06856</p> <p>Additional name(s) &amp; address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>3. Nature of conveyance:</p> <p><input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger  <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name  <input type="checkbox"/> Other _____</p> <p>Execution Date: (1) September 9, 2000  (2) September 14, 2000  (3) September 20, 2000</p>	<p>4. Application number(s) or patent number(s): <b>09/503,510</b></p> <p>If this document is being filed together with a new application, the execution date of the application is: _____</p>
<p>A. Patent Application No.(s)</p> <p><b>09/503,510</b></p>	<p>B. Patent No.(s)</p>
<p>Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p>Name: Neil D. Gershon U.S. Surgical, a division of Tyco Healthcare Group LP 150 Glover Avenue Norwalk, CT 06856</p>	<p>6. Total number of applications and patents involved: <b>11</b></p>
<p><b>DO NOT USE THIS SPACE</b></p>	<p>7. Total fee (37 CFR 3.41).....\$40.00</p>
	<p><input type="checkbox"/> Enclosed</p>
	<p><input checked="" type="checkbox"/> Authorized to be charged to deposit account</p>
	<p>8. Deposit account number: <b>21-0550</b></p> <p>(Attached duplicate copy of this page if paying by deposit account)</p>
<p>9. Statement and signature.</p> <p><i>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.</i></p> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 20px;"> <div style="width: 30%;"> <p>Mark Farber 34.159</p> <p>Name of Person Signing</p> </div> <div style="width: 30%; text-align: center;"> <p>Signature</p> </div> <div style="width: 30%; text-align: right;"> <p><b>9/27/00</b></p> <p>Date</p> </div> </div> <p style="text-align: center; margin-top: 10px;">Total number of pages comprising cover sheet <b>4</b></p>	

Mail documents to be recorded with required cover sheet information to:

ASSIGNMENT OF INVENTION

In consideration of the payment by ASSIGNEE to ASSIGNOR of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration,

ASSIGNOR: Roberto Pedros  
Keith Ratcliff  
John C. Robertson

(If assignment is by person or entity to whom invention was previously assigned and this was recorded in PTO add the following)

Recorded on  
Reel  
Frame

hereby sells, assigns and transfers to

ASSIGNEE: Tyco Healthcare Group LP  
150 Glover Avenue  
Norwalk, CT 06856  
USA

and the successors, assigns and legal representatives of the ASSIGNEE the entire right, title and interest, including the right to sue for present, past and future infringement, in the United States, its territorial possessions, and in all foreign countries, including all treaty and convention rights in and to the invention and any and all improvements entitled:

ARTERIAL HOLE CLOSURE APPARATUS

which is described in

- (a) ☐ U.S. patent application executed on even date herewith
- (b) ☐ U.S. patent application executed on \_\_\_\_\_
- (c) ☒ U.S. application serial no. 09/503,510 filed on February 14, 2000.
- (d) ☐ U.S. patent no. \_\_\_\_\_ issued \_\_\_\_\_  
(also check (e) if foreign application(s) is also being assigned)
- (e) ☒ and any legal equivalent thereof in a foreign country, and, in and to, all United States and foreign Letters Patent, for the full term thereof, to be obtained for said invention by the above application or any continuation, division, renewal, extension or substitute thereof, and as to letters patent any re-issue or re-examination thereof;

ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;

ASSIGNOR hereby authorizes and requests the Commissioner of Patents and Trademarks to issue all such Letters Patent to ASSIGNEE:

ASSIGNOR further covenants to promptly provide all pertinent facts and documents known and accessible to ASSIGNOR relating to said invention and said Letters Patent and legal equivalents; to testify as to the same in any interference, litigation or proceeding related thereto; to execute and deliver any and all papers that may be necessary or desirable to perfect the title to said invention or any Letters Patents which may be granted therefor in said ASSIGNEE, its successors, assigns or other legal representatives; to execute any additional or divisional applications for patents for said invention, or any part or parts thereof, and for the reissue of any Letters Patents to be granted therefor; and to make all rightful oaths and do all lawful acts requisite for procuring the same or for aiding therein, all without further compensation, but at the sole expense of ASSIGNEE, its successors, assigns, or other legal representatives.

ASSIGNOR hereby grants ASSIGNEE and Assignee's attorneys the power to insert the Serial No. and/or filing date of the above-described application(s) after such information becomes known to them.

IN WITNESS WHEREOF, I have hereunto set hand and seal.



Roberto Pedros

Dated: 9/14/00

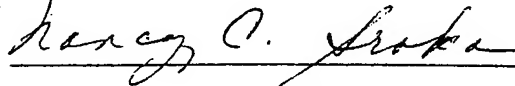
State of Connecticut )

County of NEW HAVEN )  
County of Fairfield )

ss

NORTH HAVEN, SEPT. 14, 2000

Before me this 14<sup>th</sup> day of SEPTEMBER, appeared Roberto Pedros to me personally known to be the person described in and who executed the above instrument, and acknowledged to me that he/she executed the same of his own free will for the purposes therein set forth.



Notary Public

My Commission Expires June 30, 2005

AFFIX SEAL

Keith Ratcliff  
Keith Ratcliff

Dated: 9-11-00

State of Connecticut )  
County of Fairfield ) ss Newtown

Before me this 11 day of Sept., appeared Keith Ratcliff to me personally known to be the person described in and who executed the above instrument, and acknowledged to me that he/she executed the same of his own free will for the purposes therein set forth.

Wendy J. Chris  
Notary Public

AFFIX SEAL

John C. Robertson  
John C. Robertson

Dated: SEPT. 20, 2000

State of Connecticut )  
County of ~~Fairfield~~ NEW HAVEN ) ss Cheshire

Before me this 20 day of September, 2000, appeared John C. Robertson to me personally known to be the person described in and who executed the above instrument, and acknowledged to me that he/she executed the same of his own free will for the purposes therein set forth.

Vincent A. Lentini

VINCENT S. LENTINI  
NOTARY PUBLIC  
My Commission Expires Nov. 30, 2000  
Notary Public  
AFFIX SEAL